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AND FILED**

MAR 16 2022

**IN THE CIRCUIT COURT OF ADAMS COUNTY, MISSISSIPPI
EVA J. GIVENS, CIRCUIT CLERK
BY PLAINTIFF B&D D.C.**

JUSTIN WILLIAMS

VS.

**AL-VAN, LLC AND JOHN DOE CONCRETE
COMPANY**

CAUSE NO. 22-KV-0024-B

DEFENDANTS

COMPLAINT FOR DAMAGES

COMES NOW the Plaintiff, Justin Williams, through counsel and files this his Complaint for Damages against the Al-Van, LLC and John Doe Concrete Company, the Defendants herein, and Plaintiff would state as follows:

NATURE OF CASE

This is a tort civil action for personal injuries arising out of a vehicular collision in Adams County, Mississippi on March 19, 2019. The collision involved one (1) commercial vehicle on the parking lot of Al-Van, LLC's place of business. Plaintiff alleges that the Defendants wholly caused the accident in question.

PARTIES

1. Justin Williams is an adult resident citizen of Natchez, Adams County, Mississippi.
2. Al-Van, LLC, (hereafter "Al-Van") is a limited liability corporation operating in the State of Mississippi, but with a principal place of business at 12224 Montague Street, Pacoima, California. It can be served

EXHIBIT

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with process at Lucien C. Gwinn, 319 Market Street, Natchez, Mississippi 39121.

3. John Doe Concrete Company is believed to be a Mississippi based company, but whose actual name and location are unknown at this time.

VENUE

4. Venue is proper in Adams County, Mississippi pursuant to Miss. Code Ann. §11-11-3 (Rev. 2004) because a substantial act or event that caused the injury occurred in said county.

BRIEF SUMMARY OF FACTS

5. On March 19, 2019, the Plaintiff, at all times complained of herein, was a rear passenger on a waste disposal truck which was lawfully traveling onto the parking lot of Seven Star Service Station located at 517 Hwy 61 North in Adams County, Mississippi, when the ground suddenly separated creating a huge hole. As a consequence, the vehicle on which Plaintiff was traveling, collapsed into the hole.

6. At all times complained of herein, Defendant Al-Van owned Seven Star, a commercial establishment in question in the City of Natchez, Mississippi. However, Defendant John Doe Concrete Company provided

and installed the concrete foundation which separated. That the separation was proximately caused by the Defendants whose conduct caused Plaintiff's vehicle to suddenly, recklessly, negligently and without any warning collapse into the earth and cause injuries to the Plaintiff.

7. Plaintiff, as a direct consequence of the Defendants' unlawful actions, sustained, *inter alia*, injuries to his head, back and spine. Plaintiff, further, suffered intense pain, severe shock, and mental anguish. As a proximate consequence of Defendants' actions, Plaintiff sought medical attention and incurred medically necessary expenses.

NEGLIGENCE OF THE PARTIES

8. That the Defendants were negligent and grossly negligent in the following ways:

A). They failed to perform proper testing of the property for resistivity areas which would indicated air-filled voids before the concrete was poured;

B). They failed to properly and timely inspect any depression and/or cracking of the concrete where the property separated after the foundation work was completed; and

C). They failed, otherwise, to utilize proper testing as required in the industry to test for potential sinkholes and/or failed to apply, pour, and

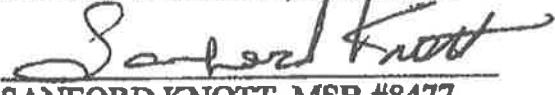
construct a structurally sound surface parking lot based upon the engineering requirements for said project.

DAMAGES

9. As a proximate result of the negligence alleged above, the Plaintiff, Justin Williams, suffered damages, including but not limited to, past pain, suffering and mental anguish, accrued medical expenses, lost earnings, and other damages to be proven at trial. Plaintiff, Justin Williams, reasonably anticipates future damages, proximately caused by said negligence of Defendants, including future medical expenses, future pain, suffering and mental anguish, future lost earnings, permanent physical impairment, permanent disfigurement, future travel expenses, and other damages.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Court upon reviewing the Complaint and having a hearing upon this matter will award compensatory damages (including hedonic damages) to the Plaintiff due to the negligence, gross negligence, and the reckless behavior of the Defendants. Plaintiff, further, prays for punitive damages, costs of court, and statutory fees where applicable. Plaintiff, finally, prays for trial by jury and such other relief that is just and proper in the premises.

RESPECTFULLY SUBMITTED this the 15th day of March, 2022.

JUSTIN WILLIAMS, PLAINTIFF
BY: 
SANFORD KNOTT, MSB #8477
ATTORNEY FOR PLAINTIFF
Sanford Knott & Associates, P.A.
425 South State Street
Jackson, Mississippi 39205
Phone: (601) 355-2000
Facsimile: (601) 355-2600

Natchez Police Department

233 Devereaux Dr, Natchez, MS 39120

Offense / Incident Report

Report Date 03/19/2019 1435	Type of Incident INTELLIGENCE REPORT				Complaint No. 2019-000976			Case Status CLEARED CIVIL		
Drivers License 801736833	Type CDL	State MS	Expires	Restrictions NONE	Marital Status	Resident Status R	Ethnicity N	Language		
Offender Information										
Name (Last, First Middle Suffix) BATES, JERRY JAMAL		Other Type		Race B	Sex M	DOB 01/01/1991	Age 28	Juvenile N	SSN	Moniker
Type		Street Address 604 OLD WASHINGTON RD.		City NATCHEZ		State MS	Zip Code 39120	Country USA		
Communication Information										
Type CELL	Phone (601) 807-0147	Ext/PIN		Type	Email Address					
Drivers License	Type	State	Expires	Restrictions	Marital Status	Resident Status R	Ethnicity N	Language		
Offender Information										
Name (Last, First Middle Suffix) WILLIAMS, JUSTIN		Other Type		Race B	Sex M	DOB 10/28/1991	Age 27	Juvenile N	SSN	Moniker
Type		Street Address 506 BROOKLYN DR.		City NATCHEZ		State MS	Zip Code 39120	Country USA		
Communication Information										
Type CELL	Phone (281) 851-8756	Ext/PIN		Type	Email Address					
Drivers License	Type	State	Expires	Restrictions	Marital Status	Resident Status R	Ethnicity N	Language		
Vehicle Information										
Veh. Year 19	Make FREIGHTLINER	Model				Veh Style SEMI TRUCK	VIN			
Tag H36 10082	Tag Year 19	Tag Month 05	Veh Color-Top WHITE	Veh Color-Bottom WHITE	Veh Type CO	Veh Value \$3,000.00	Veh Status DAMAGED			
Name ADS1,			Phone	Ext.	Email					
Street No.	Dir	Street/Rt		Apt/Suite	City		St.	Zip		
			<input type="checkbox"/> Stolen	<input type="checkbox"/> Impounded	<input type="checkbox"/> Towed		<input type="checkbox"/> Recovered	<input type="checkbox"/> Recovered Non-Locally		
Reporting Officer 2533 JOHN FINLEY					Approving Officer (I) (Cover Pages Only)					
Approving Officer (II) (Cover Pages Only)					Approving Officer (III) (Cover Pages Only)					

IN THE CIRCUIT COURT OF ADAMS COUNTY, MISSISSIPPI

JUSTIN WILLIAMS

May 31
10/00 ~~for - Knott~~
Sun 7-1-22 - Jeff
PLAINTIFF

VS.

CAUSE NO. 2022-KV-0024-B

AL-VAN, LLC AND JOHN DOE CONCRETE
COMPANY

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
COUNTY OF ADAMS

TO: Lucien C. Gwinn
Al-Van, LLC
319 Market Street,
Natchez, Mississippi 39121

NOTICE TO DEFENDANT

The complaint which is attached to this summons is important and you must take immediate action to protect your rights.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Sanford Knott & Associates, P.A., whose address is Post Office Box 1208, Jackson, Mississippi 39215-1208. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this summons and complaint or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with Clerk of this Court within a reasonable time afterward.

ISSUED under my hand and the seal of said Court, this 31 day of March, 2022.

EVA GIVENS
ADAMS COUNTY CIRCUIT CLERK
115 S. WALL STREET
NATCHEZ, MISSISSIPPI 39120

By: Diane Redman D.C.



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